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FEDERAL COMMUNICATIONS COMMISSION
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

Amendment of Part 90 of the
Commission's Rules to
Facilitate Future Development
of SMR Systems in the 800 MHz
Frequency Band

)
)
) GN Docket No. ⁹³⁻¹⁴⁴~~94-90~~
) RM-8117, RM-8030
) RM-8029
)
)

and

Implementation of Section 309(j))
of the Communications Act
Competitive Bidding of
800 MHz SMR

)
) PP Docket No. 93-253
)

MOTION FOR EXTENSION OF TIME

Respectfully submitted,

**AMERICAN MOBILE TELECOMMUNICATIONS
ASSOCIATION, INC.**

By:



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November 22, 1994

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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Amendment of Part 90 of the)
Commission's Rules to)
Facilitate Future Development)
of SMR Systems in the 800 MHz)
Frequency Band)

PR Docket No. 93-144
RM-8117, RM-8030
RM-8029

and

Implementation of Section)
309(j) of the Communications)
Act - Competitive Bidding)
800 MHz SMR)

PP Docket No. 93-253

MOTION FOR EXTENSION OF TIME

The American Mobile Telecommunications Association ("AMTA") in accordance with Section 1.46 of the Federal Communication Commission Rules and Regulations, 47 C.F.R. § 1.46, respectfully requests that the Commission extend for thirty days the time for filing Comments and Reply Comments in the above entitled proceeding.¹ In support of this request, the following is provided:

I. INTRODUCTION

AMTA is a nationwide, non-profit trade association dedicated to the interests of what has heretofore been classified as the private carrier industry. The Association represents a variety of private land mobile licensees engaged

¹ Further Notice of Proposed Rule Making, PR Docket No. 93-144, released November 4, 1994 ("FNPR").

in the provision of a broad range of primarily mobile, voice and data services to eligible customers. AMTA's nearly 400 members include trunked and conventional 800 MHz SMR operators, as well as wide-area SMR licensees. Because the regulatory frame work that is adopted as a result of this proceeding will have a direct effect on those members, AMTA has a profound interest in the outcome of this proceeding.

II. DISCUSSION

In its Further Notice of Proposed Rule Making, GN Docket No. 93-252 (adopted April 20, 1994) the Commission, in implementing the Omnibus Reconciliation Act of 1993, concluded that certain Private Land Mobile Services should be reclassified as Commercial Mobile Radio Services ("CMRS"). Thereafter, on August 2, 1994, the Commission adopted its Third Report and Order in GN Docket No. 93-252 which established the regulatory framework for services defined as CMRS. As a direct result of that proceeding, the Commission issued the instant FNPR proposing a new, comprehensive regulatory structure for licensing 800 MHz SMR systems, one more closely aligned to the rules that govern other CMRS services. The FNPR proposes extensive technical and operational changes in the rules that have traditionally governed SMR systems. The FNPR was released on November 4, 1994, with Comments due on December 20, 1994 and Reply Comments on December 20, 1994.

AMTA respectfully requests a thirty (30) day extension of

both the Comment and the Reply Comment period. The scope of the instant proposal is extraordinarily broad and its various aspects inextricably inter-related. The FNPR recommends the fundamental restructuring of the 800 MHz licensing scheme for all segments of the SMR industry. As the Commission correctly noted, "[t]he SMR industry presents certain unique issues because of the already-existing diversity of SMR services and the competitors providing them." FNPR at ¶ 2. Each proposed change will have significant, yet different, implications for those intending to provide wide-area services versus those who plan to maintain their systems in a more traditional configuration. An illustrative example is the proposal to allocate the two hundred frequencies between 861 and 865 MHz for MTA-based licensing. Though intended to parallel other CMRS offerings, this bifurcated regulatory structure will affect in widely different ways wide-area licensees and the more traditional licensees.

It has become evident to AMTA that its members must be given more time to consider the implications and inter-relationship of each specific proposal.² The regulatory structure adopted in this proceeding will define the future development of the SMR industry. It is, therefore, essential that the industry be given the opportunity to discuss and evaluate the proposal fully so that it can provide the

² As the Commission is aware, the comment period includes the Thanksgiving Holiday weekend which further curtails the actual time that the industry has to formulate its response.

Commission with well reasoned options and comments.

AMTA has asked its Small Business Operators Council ("SBOC") to review the Commission's proposals and to provide its comments and suggestions to AMTA's Regulatory Committee. The Committee then will prepare a proposal for consideration by the Board of Directors. The number and complexity of the matters raised by the FCC in its FNPR already has required the SBOC and Regulatory Committee to meet several times. The process is not yet complete. In our opinion, a response from AMTA on December 5, 1994, would be premature as it could not adequately address the numerous issues raised in the FNPR.

FOR THE REASONS DESCRIBED HEREIN, AMTA requests that the Commission extend the time for the filing of comments in this proceeding. AMTA requests that Comments be accepted until January 5, 1994 and Reply Comments until January 16, 1995.

CERTIFICATE OF SERVICE

I, Lynn E. Norwood, a secretary in the law office of Lukas, McGowan, Nace & Gutierrez, hereby certify that I have, on this 22nd day of November, 1994, placed in the United States mail, first-class postage pre-paid, a copy of the foregoing Motion for Extension of Time to the following persons:

- * Chairman Reed E. Hundt
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1919 M Street, NW, Room 814
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- * Commissioner James H. Quello
Federal Communications Commission
1919 M Street, NW, Room 802
Washington, DC 20554
- * Commissioner Andrew C. Barrett
Federal Communications Commission
1919 M Street, NW, Room 826
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- * Commissioner Rachelle B. Chong
Federal Communications Commission
1919 M Street, NW, Room 844
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- * Commissioner Susan Ness
Federal Communications Commission
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- * Ralph Haller, Chief
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- * Gerald Vaughan, Deputy Chief
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